

1 LAURA VARTAIN (SBN: 258485)

2 laura.vartain@kirkland.com

3 **KIRKLAND & ELLIS LLP**

555 California Street, 30th Floor

San Francisco, CA 94104

Telephone: (415) 439-1625

5 ALLISON M. BROWN (Pro Hac Vice admitted)

allison.brown@kirkland.com

6 JESSICA DAVIDSON (Pro Hac Vice admitted)

jessica.davidson@kirkland.com

7 **KIRKLAND & ELLIS LLP**

601 Lexington Avenue

New York, NY 10022

Telephone: (212) 446-4723

10 *Attorneys for Defendants*

11 UBER TECHNOLOGIES, INC.,

12 RASIER, LLC, and RASIER-CA, LLC

13 *Attorneys for Defendants*

14 UBER TECHNOLOGIES, INC.;

RASIER, LLC; and RASIER-CA, LLC

15 *[Additional Counsel Listed on Signature Page]*

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

19 IN RE: UBER TECHNOLOGIES, INC.,
20 PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

Judge: Honorable Charles Breyer

21 This Document Relates to:

22 *M.C. v. Uber Technologies, Inc., et al.*

23 Case No.: 3:24-cv-03608-CRB

24 **DEFENDANTS AND CROSS-**
25 **CLAIMANTS UBER TECHNOLOGIES,**
26 **INC.; RASIER, LLC, AND RASIER-CA,**
27 **LLC’S THIRD REQUEST FOR**
28 **ADMINISTRATIVE RELIEF FROM**
SERVICE DEADLINE (Local Rule 7-11);
[PROPOSED] ORDER

On November 5, 2024, Defendants/Cross-Claimants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC filed their Cross-Claims against Cross-Defendant Desalegne Nega. Fed. R. Civ. P. 4(m) provides ninety (90) days for service of a complaint. *See* Fed. R. Civ. P. 4(m) (“If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.”). After multiple unsuccessful service attempts, on February 3, 2025 Uber filed a request for administrative relief from the service deadline. (ECF 26). On February 5, 2025, the Court granted Uber’s request for administrative relief and ordered that the service deadline for the Cross-Claims be extended to and including April 4, 2025. (ECF 27). On April 4, 2025, Uber filed a second request for administrative relief from the service deadline. (ECF 32). The Court granted Uber’s request for administrative relief and ordered that the service deadline for the Cross-Claims be extended to and including June 3, 2025. (ECF 32).

Cross-Claimants have been diligently attempting to serve Cross-Defendant with the Summons and Cross-Claims. But, to date, Cross-Defendant has not yet been served in this matter. Cross-Claimants respectfully request the Court grant another 60-day extension to complete service or take other appropriate action regarding Cross-Defendant. Good cause exists for this Court to extend the service deadline because Cross-Claimants have been diligently attempting to locate addresses for and to serve Cross-Defendant.

Cross-Claimants, through attorneys of record Shook, Hardy & Bacon, hired First Legal, a legal solutions firm, to assist with locating and serving Cross-Defendant. In January 2025, First Legal indicated it conducted a skip trace to ascertain the current whereabouts of Cross-Defendant. First Legal has made several attempts to serve the Cross-Defendant at 5415 W. Harmon Ave., Unit 2004, Las Vegas, NV 89103-7014. These attempts were unsuccessful, as a resident of that location indicated Cross-Defendant no longer lives there. First Legal subsequently identified the possible address 8215 Stoneheather Ct. Las Vegas, NV 89117 for Cross-Defendant.

Cross-Claimants then filed the summons returned unexecuted regarding the 5415 W. Harmon Ave., Unit 2004 Las Vegas, NV 89103-7014 address and filed the proposed summons for the 8215

1 Stoneheather Ct. Las Vegas, NV 89117 address. The next day, the Court issued the summons for
2 Cross-Defendant at 8215 Stoneheather Ct. Las Vegas, NV 89117.

3 First Legal has attempted to serve Cross-Defendant at 8215 Stone Heather Ct., Las Vegas, NV
4 89117. The process server indicated that he spoke to a woman (who did not provide her name) through
5 a security screen. The woman told the process server that Cross-Defendant does not live there and that
6 Cross-Defendant was her brother's friend that stayed there only for a few weeks while he found his
7 own place. The woman did not provide a new address for Cross-Defendant.

8 Cross-Claimants, through attorneys of record Shook, Hardy & Bacon, further requested First
9 Legal to conduct another skip trace for a new address for Cross-Defendant. First Legal conducted the
10 search and has not located an alternate address. Cross-Claimants have also searched for Cross-
11 Defendants' social media, but no social media has been located.

12 In an effort to find an updated address for Cross-Defendant, Cross-Claimants, through attorneys
13 of record Shook, Hardy & Bacon, obtained a new Accurint report and a TLO report, but the reports
14 reiterated 5415 W Harmon Ave Unit 2004, Las Vegas, NV 89103-7014 as the most recent address.
15 Cross-Claimants, however, have identified potential addresses of Cross-Defendant's employment
16 located in Missouri. Cross-Claimants intend to attempt to locate Cross-Defendant using those addresses
17 of employment. Cross-Claimants have been and intend to continue investigating to identify other
18 addresses and ways to serve Cross-Defendant.

19 Cross-Claimants respectfully request the Court grant an additional 60-day extension to
20 complete service on Cross-Defendant (or take appropriate action), allowing to and including August 4,
21 2025 to effect service.

22 DATED: June 3, 2025

Respectfully submitted,

24 **SHOOK HARDY & BACON L.L.P.**

25 By: /s/ Maria Salcedo

MARIA SALCEDO

27 **KIRKLAND & ELLIS LLP**

LAURA VARTAIN

28 ALLISON M. BROWN

JESSICA DAVIDSON

O'MELVENY AND MYERS LLP

SABRINA STRONG

JONATHAN SCHNELLER

SHOOK, HARDY, & BACON, LLP

PATRICK OOT (Admitted *Pro Hac Vice*)

oot@shb.com

1800 K St. NW Ste. 1000

Washington, DC 20006

Telephone: (202) 783-8400

Facsimile: (202) 783-4211

ALYCIA A. DEGEN (SBN: 211350)

adegen@shb.com

MICHAEL B. SHORTNACY (SBN: 277035)

mshortnacy@shb.com

2121 Avenue of the Stars, Suite 1400

Los Angeles, CA 90067

Telephone: (424) 285-8330

Facsimile: (424) 204-9093

CHRISTOPHER V. COTTON (Admitted *Pro Hac Vice*)

ccotton@shb.com

MARIA SALCEDO (Admitted *Pro Hac Vice*)

msalcedo@shb.com

SHOOK, HARDY & BACON L.L.P.

2555 Grand Blvd.

Kansas City, MO 64108

Telephone: (816) 474-6550

Facsimile: (816) 421-5547

Attorney for Defendants

UBER TECHNOLOGIES, INC.,

RASIER, LLC, and RASIER-CA, LLC